

REMARKS

Claims 1-7 stand rejected in this application under 35 U.S.C. 102 as being unpatentable over Mullen (US 2005/0266891). New claim 9 has been added.

At pages 2-3 of the office action, the Examiner states that the claimed invention is anticipated by Mullen, and in particular, that Mullen teaches a mobile alerter for a mobile communication device, the mobile alerter comprising a processor, a power supply, a wireless receiver to communicate with the mobile communication device, notification hardware for triggering a notification of an incoming alert, and a connection interface for removably connecting the mobile alerter to the mobile communication device, the mobile alerter forming the notification unit of the mobile communication device such that the mobile alerter output notification alerts for the mobile communication device when the mobile alerter is in a tethered mode, and the mobile alerter outputs notification alerts for the mobile communication device when the mobile alerter is an un-tethered mode.

We respectfully disagree. Mullen does not disclose a mobile alerter that outputs notification alerts for a mobile communication device both when in a tethered mode and when in an un-tethered mode. In the claimed embodiments of the Applicant's invention, the mobile alerter operates in two modes: an un-tethered mode and a tethered mode. As claimed, the mobile alerter comprises both a wireless receiver, and a connection interface for removably connecting the mobile alerter to the mobile communication device. Whether the mobile alerter is operating in the un-tethered mode or the tethered mode depends on whether the mobile alerter is removed from the mobile communication device or not. As noted in the Applicant's specification (see e.g., paragraphs [0021]-[0022], [0026] and [0032]-[0033]), the mobile alerter is in an un-tethered mode when it is removed from the host mobile communication device and receives a notification

message wirelessly through its wireless receiver, which triggers the output of a notification alert by the mobile alerter. On the other hand, the mobile alerter is in a tethered mode when it is not removed from the host mobile communication device and communication is conducted instead through the connection interface of the mobile alerter.

With reference to Mullen, it will be understood by persons skilled in the art that FIGS. 1 to 4 depict examples of different sensors and notification devices, and not different operating modes of a singular device. First, consider the device shown in FIG. 1. FIG. 1 illustrates, specifically, a non-wireless remote cell phone notification device (see [0013]). When the remote notification device 130 is attached to the cell phone 101 via the communication device 111, the remote notification device 130 can output notification alerts. In this way, remote notification device 130 may be said to operate in a tethered mode as it is connected to cell phone 101 via interfaces 111/112. However, although remote notification device 130 might be considered to be removably connected to the cell phone 101, Mullen neither teaches nor suggests that the remote notification device 130 will continue to operate to output notification alerts for the cell phone 101 if the interfaces 111/112 were detached (i.e. in an un-tethered mode). It is notable that Mullen does not disclose that the remote notification device 130 comprises a wireless receiver.

Conversely, FIG. 2 of Mullen illustrates, specifically, a wireless remote cell phone notification device (see [0014]). When the remote notification device 230 receives signals wirelessly from cell phone 201, the remote notification device 230 can output alerts. In this way, remote notification device 230 may be said to operate in an un-tethered mode. However, Mullen does not disclose that the remote notification device 230 can operate in a separate, tethered mode, where the remote notification device 230 can be removably connected to the cell phone 201 through a communication interface. At paragraph [0025], Mullen discusses

embedding the remote notification device 230 in a device such as watch. This further suggests that the remote notification device 230 of FIG. 2 cannot be removably connected to the cell phone 201.

Alternatively, even if the Examiner were to take a position that the remote notification device 230 of FIG. 2 is instead shown to be operating in a tethered mode (with communication device 211 considered as part of the remote notification device 230 and inserted into cell phone 201), Mullen neither teaches nor suggests that the remote notification device 230 would be capable of operating in an un-tethered mode. For example, Mullen neither teaches nor suggests that the remote notification device 230 would continue to operate to output notification alerts for the cell phone 101 if the communication device 211 were removed from the communication port 212 of the cell phone 201.

Similarly, FIG. 3 of Mullen illustrates a remote notification device 330 that attaches to a cellular phone 301 through a wired extension 321 and a notification sensing device 350 affixed to the cellular phone 301. When the remote notification device 330 is attached to the cell phone 301 via the notification sensing device 350, the remote notification device 330 can output notification alerts. In this way, remote notification device 330 may be said to be operating in a tethered mode. However, Mullen neither teaches nor suggests that the remote notification device 330 will continue to operate to output notification alerts for the cell phone 301 if the notification sensing device 350 were detached from the cell phone 330 (i.e. in an un-tethered mode).

Mullen does not disclose that the remote notification device 330 comprises a wireless receiver. At paragraph [0029], Mullen does suggest that wired extension 321 may instead be replaced with wireless means, but there is no suggestion that the remote notification device 330 can operate to receive signals wirelessly when the wired extension 321 is disconnected from the notification

sensing device 350 in one mode of operation, and also receive signals through the wired extension 321 when connected to the notification sensing device 350 in a different mode of operation.

Similarly, FIG. 4 of Mullen does not illustrate a remote notification device that comprises both a wireless receiver and a communications interface. Even if one were to incorporate both the hard connector 402 and the wireless connector 403 of the separate sensor component 401 into the remote notification device 450, Mullen neither teaches nor suggests that the notifier 450 would be capable of outputting notification alerts for the cell phone in both a tethered mode (e.g. connection to a phone via hard connector 402) and also in an un-tethered mode (e.g. connection to a phone via wireless connector 403).

The claims that are pending in the present application clearly require that the mobile alerter provide both a wireless receiver and a connection interface, and that the same mobile alerter output notification alerts for the mobile communication device both when in the tethered mode and when in the un-tethered mode. None of the devices disclosed in Mullen possess every feature recited in the claims. Withdrawal of the Examiner's rejection under 35 U.S.C. 102 is respectfully requested.

Moreover, it would be erroneous to conclude that embodiments of the Applicant's invention would be obvious from the teachings of Mullen. The Applicant's mobile alerter and the devices disclosed in Mullen work in very different ways. The systems disclosed in Mullen require a cell phone (101, 201, 301) to initially generate an alert using its built-in circuitry (see e.g., [0020], [0021], [0030]), and a sensing component (111, 211, 350), generally separate from the remote notification device (130, 230, 330), to detect the cell phone's initial alert. In response to the sensed initial alert, the remote notification device relays the alert, and re-issues a second, supplemental, remote notification signal

using its own notification means (see [0007]). Accordingly, the cell phone must initially generate its own alert before the remote notification device can do so.

In contrast, in the Applicant's invention, the ability of the mobile alerter to output notification alerts is not dependent on any built-in notification means of the host mobile communication device. As previously noted in the Applicant's amendment of January 26, 2006, since the same mobile alerter outputs notification alerts for the mobile communication device in both tethered and untethered modes (the prior art cited by the Examiner does not disclose this feature), the mobile alerter might be employed, for example, to provide complete alerting functionality for a mobile communication device. In that example, notification hardware would not need to be replicated on both the mobile alerter and the mobile communication device. This may reduce manufacturing costs.

New claim 9 has been added, directed to an embodiment in which the connection interface of the mobile device is located within the cavity of the housing of the mobile device and the cavity is adapted to slidably receive the mobile alerter (see e.g. [0019], [0022] of the Applicant's specification). No new matter has been added. For consistency, Claim 4 has been amended to recite the term "cavity" as used in the specification.

In view of the foregoing clarifications, Applicants respectfully submit that each of claims 1-7 and 9 are in form for allowance, and a notice to that effect is respectfully requested.

Respectfully submitted,
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